

ORDINANCE NUMBER 04-21

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF WESTFIELD RELATED TO ROAD IMPACT FEES

WHEREAS, the procedures for enacting an Impact Fee Ordinance are contained in IC 36-7-4-1300-1341 and were previous approved by ordinance 97-23 dated December 8, 1997; and

WHEREAS, the Impact Fee Advisory Committee has reviewed certain information prepared by the Westfield Public Works Department addressing a new road impact fee structure; and

WHEREAS, the Westfield-Washington Township Advisory Plan Commission did properly advertise and conduct a public hearing for the Westfield Town Council on May 24, 2004 to review the proposed modification to the road impact fee amount referenced in Westfield Town Ordinances Chapter 40, IMPACT FEES, Article II. Road and Street Improvement Impact Fee, Sec.40.33; and

WHEREAS, the Impact Fee Advisory Committee, as established under IC 36-7-4-1312, at its meetings on April 22, 2004 recommended to the Westfield Town Council the modification of the fee structure for the road impact fee that was reviewed at the public hearing; and

WHEREAS, such Impact Fee Ordinance will only apply to certain improvements and developments within the impact zone as specified in the Zone Improvement Plan.

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN
COUNCIL THAT THE FOLLOWING AMENDMENT BE MADE TO THE WESTFIELD
TOWN ORDINANCES.**

Section 1. Amend Chapter 40, IMPACT FEES, Article II. Road and Street Improvement Impact Fee, Sec. 40-33. Establishment of road impact fee to read as follows:

Chapter 40

IMPACT FEES

Article II Road and Street Improvement Impact Fee

Section 40-33 Establishment of road impact fee

(a) It has been determined that the 2003 calculation of the cost per trip is in the amount of \$296. Notwithstanding the evidentiary basis for such calculation, the cost per trip shall be set at \$110. For a single family residence the road impact fee is based upon 9.57 trips per 24 hour period which calculates to \$1053 per residence. Calculations for other types of construction shall be based upon the Trip Generation Report, Fifth Edition, published by the Institute of Transportation Engineers.

(b) If any parcel of real estate considered in the creation of the zone improvement plan undergoes a change in use, redevelopment or a modification which requires an improvement location permit, and creates a need for new infrastructure, an impact fee will only be assessed for the increase in the burden on the infrastructure.

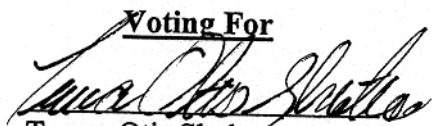
Section 2. The Council does hereby make as a part of the record of these proceedings, all of the data collected, the calculations made, and the conclusions reached in the creation of the Zone Improvement Plan, and specifically instructs the Westfield Public Works Department to make such data and other information inclusively available to anyone for review during regular business hours.

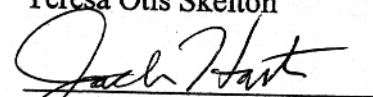
Section 3. This ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the Town Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana.

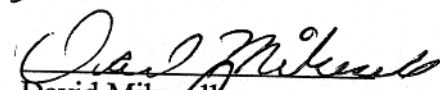
ADOPTED AND PASSED THIS 14th DAY OF June, 2004, BY THE
WESTFIELD TOWN COUNCIL, HAMILTON COUNTY, INDIANA.

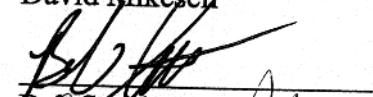
WESTFIELD TOWN COUNCIL

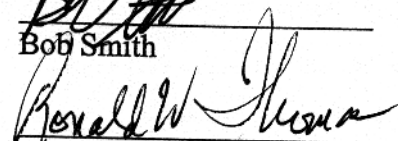
Voting For


Teresa Otis Skelton


Jack Hart


David Mikesell


Bob Smith


Ron Thomas

Voting Against

Teresa Otis Skelton

Jack Hart

David Mikesell

Bob Smith

Ron Thomas

Abstain

Teresa Otis Skelton

Jack Hart

David Mikesell

Bob Smith

Ron Thomas

ATTEST:

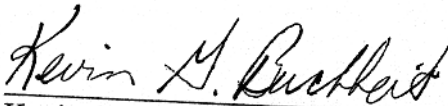
Clerk-Treasurer, Cindy Gossard

This ordinance prepared by
Jerry Rosenberger, Town Manager

**WESTFIELD WASHINGTON TOWNSHIP PLAN COMMISSION
CERTIFICATION**

The Westfield Washington Plan Commission met in regular session on Monday, May 24, 2004, and held a public hearing concerning an amendment to the Road Impact Fee Ordinance of the Town of Westfield. Notice of public hearing on May 24, 2004, was presented to the Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The public hearing was held. No one spoke during the public hearing.

I, Kevin G. Buchheit, AICP, being the Secretary of the Westfield Washington Township Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield Washington Township Plan Commission held on May 24, 2004.



Kevin G. Buchheit, AICP, Secretary

May 25, 2004

Date

**Zone Improvement Plan
Construction Cost Estimate
Westfield, Indiana**

HNTB Job No. 38713-PL-005-108

	Location	Approximate Cost	Priority or Year
	Intersection Improvement Projects (Includes: Engineering and Contingencies (25%) and Right-of-Way Costs)		
	161st Street at Spring Mill Road	\$538,000	1
	151st Street at Carey Road	\$618,000	2
	161st Street at Carey Road	\$596,000	3
	161st Street at Oak Ridge Road	\$533,000	6
	169th at Oak Ridge Road	<u>\$441,000</u>	6
	Subtotal	\$2,726,000	
	Widening and Resurfacing Projects (Includes: Engineering and Contingencies (10%))		
	161st Street, Section 3 S. Union to Carey	\$363,000	1
	161st Street, Section 4 Carey to Gray	\$369,000	1
	161st Street, Section 2 Oak Ridge to US 31	\$272,000	2
	161st Street, Section 1 Springmill to Oak Ridge	\$369,000	3
	151st Street, Section 1 Oak to Carey	\$183,000	4
	151st Street, Section 2 Carey to Gray	\$392,000	4
	Oak Ridge Road, Section 3 161st to 156th	\$183,000	4

**Zone Improvement Plan
Construction Cost Estimate
Westfield, Indiana**

HNTB Job No. 38713-PL-005-108

Location	Approximate Cost	Priority or Year
Oak Ridge Road, Section 4 156th to Greyhound Pass	\$152,000	4
Oak Ridge Road, Section 5 Greyhound Pass to 146th Street	\$194,000	4
Oak Ridge Road, Section 1 Quail to 169th	\$174,000	6
Oak Ridge Road, Section 2 169th to 161st	<u>\$272,000</u>	6
Subtotal	\$2,923,000	
Resurfacing Projects		
Westfield Park Road	<u>\$73,000</u>	1
Subtotal	\$73,000	
Federal Aid Roadway Projects		
Oak Ridge Road SR 32 to 161st Street		
Roadway Design	\$670,000	2 - 3
Landscape Design	\$178,000	2 - 3
Right-of-Way	\$516,000	4
Local Share Roadway Construction	\$1,340,000	5
Local Share Landscaping Construction	<u>\$444,000</u>	5
Subtotal	\$3,148,000	
Total	\$8,870,000	
Sum of Priority 1 Projects	\$1,343,000	
Sum of Priority 2 Projects	\$1,314,000	
Sum of Priority 3 Projects	\$1,389,000	
Sum of Priority 4 Projects	\$1,620,000	
Sum of Priority 5 Projects	\$1,784,000	
Sum of Priority 6 Projects	<u>\$1,420,000</u>	
Total	\$8,870,000	

Zone Improvement Plan 2003 Impact Fee Calculation

The attached table is an updated cost estimate for an average two-lane roadway. This table is an update to the table found in the 2000 and 1998 studies and the original 1994 study.

The calculations shown below have been revised to reflect the updated construction costs. Please note that the impact fee equation derived in the *1994 Roadway Impact Fee Evaluation and Program Study* is the basis for the adjusted impact fee analysis. The Reduced Impact Fee is 37 percent of the Full Recovery Fee. This reduction was made in the 1994, 1998 and 2000 studies. The current impact fee is \$42 per trip and was established in 1994.

The results are as follows:

1994 Impact Fee Equation with Year 2003 Construction Costs:

$$\begin{aligned} \text{Impact Fee} = & \text{daily trips} \times 0.5 \text{ (in/out)} \times 2 \text{ mi. round trip} \times \$1,300,000 \\ & (\$1,500,000, \$900,000, \$500,000) \text{ ave. mi. construction cost} / 4,385 \text{ vehicles per} \\ & \text{day per lane (LOS C Capacity)} \end{aligned}$$

Resulting Modified Impact Fees (Year 2003 Dollars):

Full Recovery Fee = \$296 (\$342, \$205, \$114) per 24 hour trip

Reduced Impact Fee = \$110 (\$126, \$76, \$42) per 24 hour trip

Residential Unit Impact Fee @ 9.57 trips per day
= \$1,053 (\$1205, \$727, \$401) per single family dwelling unit

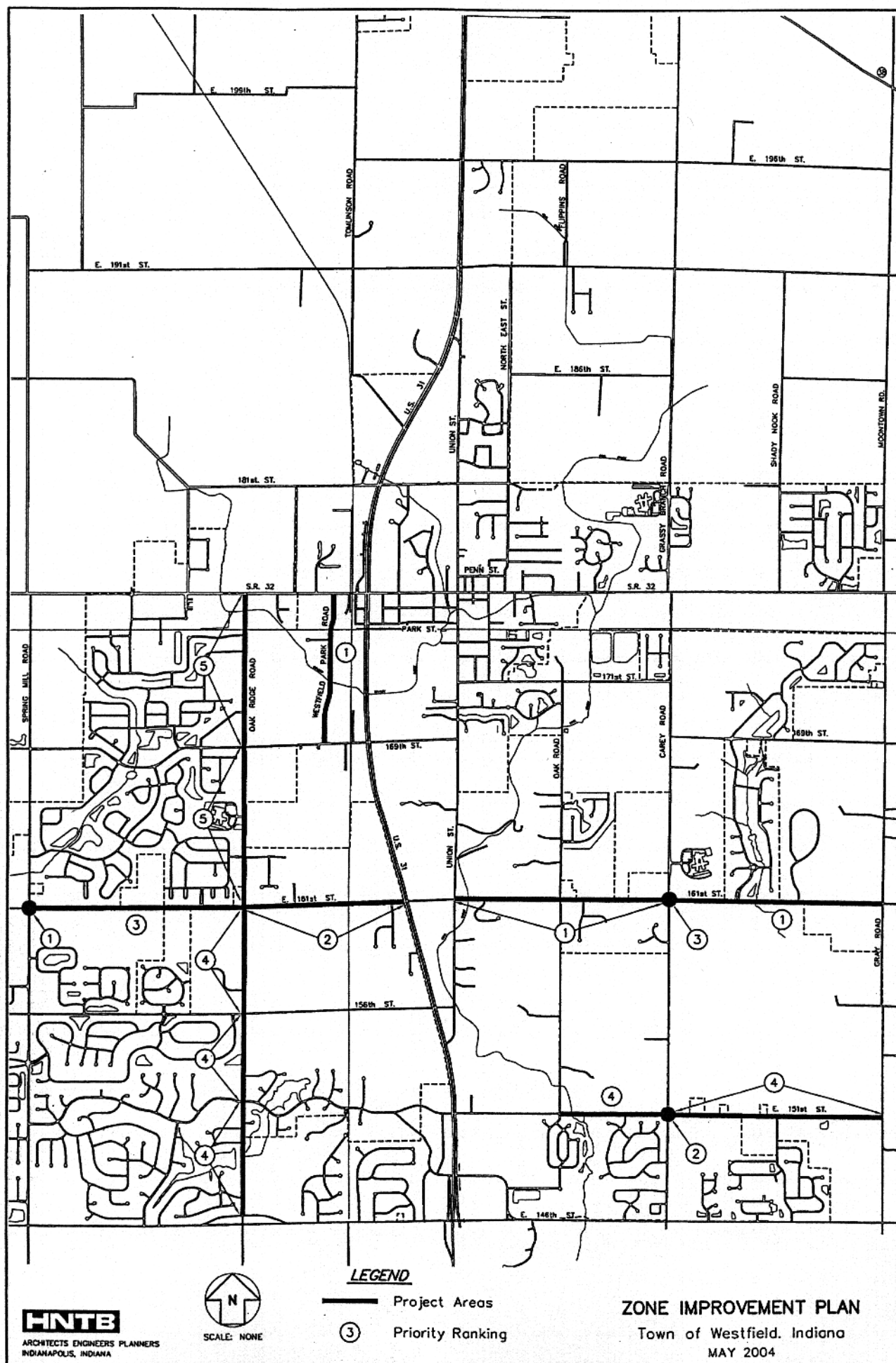
(numbers shown in parenthesis are from the studies done in years 2000, 1998 and 1994)

ZONE IMPROVEMENT PLAN
2003 CONSTRUCTION COST ESTIMATE FOR AVERAGE TWO LANE ROADWAY

DESIGN
 ASSUMPTIONS

MAINLINE LENGTH: 5280 ft
 PAVEMENT WIDTH: 36 ft
 TRAVEL LANES: 2 x 12 ft
 PAVED SHOULDERS: 2 x 6 ft
 CURB WITH INLETS

ITEM	UNIT PRICE	UNIT	QUANTITY	AMOUNT
COMMON EXCAVATION (37 ft wide, 1.5 ft deep)	9.39	CYS	10853	\$ 101,913
9 in PLAIN CEMENT CONCRETE PAVEMENT (Mainline)	52.07	SYS	14080	\$ 733,146
TYPE D1 CONSTRUCTION JOINTS (20 ft spacing)	11.15	LFT	6336	\$ 70,646
SUBBASE FOR CEMENT CONCRETE PAVEMENT	42.00	CYS	4071	\$ 170,970
9 in PLAIN CEMENT CONCRETE PAVEMENT (Shoulder)	52.07	SYS	7040	\$ 366,573
8 in, INTEGRAL CONCRETE CURB, TYPE C	7.87	LFT	10560	\$ 83,107
15 in, TYPE 2, CIRCULAR PIPE (Storm Sewer Trunkline)	27.03	LFT	5280	\$ 142,718
12 in, TYPE 2, CIRCULAR PIPE (Storm Sewer Collectors)	26.63	LFT	760	\$ 20,247
MANHOLE, TYPE C4	1124.06	EACH	21	\$ 23,605
6 in, TYPE 4, CIRCULAR PIPE (Underdrains)	2.55	LFT	10560	\$ 26,928
INLETS, TYPE J10 (250 ft spacing)	1158.67	EACH	42	\$ 48,664
AGGREGATE FOR UNDERDRAINS	27.19	CYS	844	\$ 22,948
SUBTOTAL				\$ 1,811,466
CONSTRUCTION CONTINGENCIES (20%)				\$ 362,293
SUBTOTAL				\$ 2,173,759
ADMINISTRATION, ENGINEERING, INSPECTION (20%)				\$ 434,752
TOTAL ESTIMATE				\$ 2,608,511
PER LANE MILE COST				\$ 1,304,256



AFFIDAVIT OF CORRECTION
ORDINANCE 04-21
DATED JUNE 14, 2004

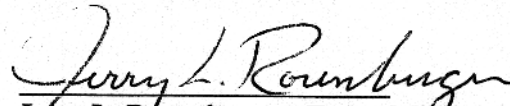
COMES NOW JERRY ROSENBERGER, TOWN MANAGER OF WESTFIELD, INDIANA, WHO BEING FIRST DULY SWORN UPON HIS OATH, ALLEGES AND SAYS AS FOLLOWS:

1. That he is the Town Manager of Westfield, Hamilton County, Indiana
2. That in such capacity, he has the responsibility for the preparation and recording of ordinances.
3. That as a result of a scrivener's error, the information in the first recital on Ordinance 04-21 is incorrect.
4. That the recital should read as follows;

WHEREAS, the procedures for enacting an Impact Fee Ordinance are contained in IC 36-7-4-1300-1341 and were previously approved by ordinance 94-7 dated June 13, 1994; and

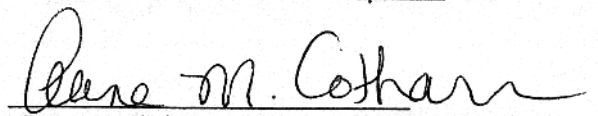
5. That the recital described above is accurate and does correct the scrivener's error contained in the prior recorded documents.
6. That the recital described in #4 above should be used to modify the first recital of ordinance 04-21 as originally recorded.

I affirm under penalties for perjury that the foregoing representations are true to the bet of my knowledge and belief.


Jerry L. Rosenberger, Town Manager

Personally appeared before a notary public in and for said county and stare, the within named Jerry L. Rosenberger, known to me to be the person who executed the foregoing Affidavit and acknowledged the execution of the same as his voluntary act and deed.

WITNESS MY HAND AND NOTARIAL SEAL THIS 15 DAY OF February 2005.


Notary Public, a resident of Hamilton County

